

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

JAMIE C. TUTTLE,

Debtor.

Bankruptcy Case No. 22-01738

Adversary Proceeding No. 23-80004

THOMAS C. RICHARDSON,
Chapter 7 Trustee,

Plaintiff,

v.

KRISTOFER REARICK,

Defendant.

Case No. 1:23-cv-487

Hon. Hala Y. Jarbou

ORDER APPROVING AND ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation (R&R) filed by the United States Bankruptcy Judge in this action regarding the Plaintiff Trustee's Application for Entry of Default Judgment against Defendant Kristofer Rearick (ECF No. 1-1). The R&R was duly served on the parties, and no objections have been filed under Fed. R. Bankr. P. 9033 and LCivR 83.2(b).

Accordingly,

IT IS ORDERED that the R&R of the Bankruptcy Judge, filed April 19, 2023, is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the transfer of the automobile made by the Debtor to the Defendant in the two years prior to the bankruptcy filing is **AVOIDED** as a constructively fraudulent transfer under 11 U.S.C. § 544(b) and 548(a)(1)(B).

IT IS FURTHER ORDERED that the Trustee's Application for Entry of Default Judgment is **GRANTED** and judgment is entered in favor of the Plaintiff Trustee in the amount of \$6,000.00, plus costs in the amount of \$350.00, for the reasons stated in the R&R.

A judgment will issue in accordance with this order.

Dated: May 12, 2023

/s/ Hala Y. Jarbou
HALA Y. JARBOU
CHIEF UNITED STATES DISTRICT JUDGE